

**CUSTOMER NO.: 24498****Serial No. 09/883,635**

Reply to Office Action dated: 10/06/05

Response dated: 01/06/06

**PATENT  
PU010092****REMARKS**

The Office Action mailed October 6, 2005 has been reviewed and carefully considered. It is respectfully asserted that no new matter has been added.

Claims 6, 10, 19, and 23 have been amended. Claims 1-26 are currently pending.

Initially, the Examiner's indication of allowable subject matter is acknowledged. In particular, Claims 8 and 21 would be allowable if re-written to overcome the rejection(s) under 35 U.S.C. §112, second paragraph, and to include the limitations of the base claim and any intervening claims.

As noted above, Claims 6, 10, 19, and 23 have been amended. Support for the amendments may be found at least at page 15, line 8 to page 16, line 31.

By the present Office Action, Claims 6-8, 10, 19-21 and 24 stand rejected under 35 U.S.C. §112, second paragraph. It is believed that the Examiner has meant to include Claim 23 in the rejection, as Claim 23 also recites "dummy pictures" and "repeat pictures" and Claim 24 is dependent from Claim 23. Claims 6, 10, and 19 have been amended to now recite, *inter alia*, "wherein the dummy pictures and the repeat pictures are duplicates of at least one of particular intra frames and particular non-intra frames in the selected video segment, the dummy pictures having discrete cosine transform (DCT) coefficients and motion vectors set to zero". Moreover, Claim 23 has been amended to now recite, *inter alia*, "wherein the dummy pictures and the repeat pictures are duplicates of at least one of particular ones of the intra frames and particular ones of the non-intra frames in the video segment, the dummy pictures having discrete cosine transform (DCT) coefficients and motion vectors set to zero". Accordingly, all of the claims are believed to satisfy under 35 U.S.C. §112, second paragraph. Reconsideration of the rejection is respectfully requested.

By the present Office Action, Claims 1-7, 9-11, 14-20, and 22-24 stand rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent No. 6,621,979 to Eerenberg et al. (hereinafter "Eerenberg"). Moreover, Claims 12, 13, 25, and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over

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Eerenberg in view of U.S. Patent Publication No. 20020028061 to Takeuchi et al. (hereinafter "Takeuchi"). The rejections are respectfully traversed.

It is respectfully asserted that none of the cited references teach or suggest the following limitations of Claim 1:

In a rewritable storage medium, a method for changing a playback speed of a **selected video segment** having a progressive frame structure **which has been recorded on a portion of said storage medium** comprising the steps of:

modifying said selected video segment for a changed playback speed; and

**recording said modified video segment exclusively on said portion of said medium.**

It is respectfully asserted that none of the cited references teach or suggest the following limitations of Claim 14:

A system for changing a playback speed of a **selected video segment** having a progressive frame structure **recorded on a rewritable storage medium**, comprising:

storage medium reading circuitry for selectively reading a video segment which has been recorded on a portion of said rewritable storage medium;

a video processor for modifying said selected video segment for a changed playback speed; and

**video recorder circuitry for recording said modified video segment exclusively on said portion of said storage medium.**

The Examiner has cited column 4, lines 51-67, column 5, lines 1-27, and Figures 15 and 19 of Eerenberg as disclosing the same. The Applicants respectfully disagree.

Column 4, lines 51-67 and column 5, lines 1-27 simply describe the general principles of track select trick play, while FIG. 14 shows a GOP layout at the transport stream level, and FIG. 19 shows a recording apparatus. None of the cited sections of Eerenberg disclose the preceding limitations of Claims 1 and 14. In fact, such sections actually TEACH AWAY from the claimed invention. For

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example, column 5, lines 10-16 of Eerenberg disclose "[t]rack select trick play is based on the fact that head A and B cross pre-determined tracks. When such a system is realized, then it is possible to write information on tape in such a way that this data becomes visible during trick play. Consequence of this system is that this data can only be used for one trick play tape speed. For this reason, **specific trick play AREAS are defined for different trick play speeds**".

Moreover, the Abstract of Eerenberg discloses "[a] trick play information stream is generated from a normal play stream, so that they can be recorded together as a composite information stream on the record carrier".

In contrast, the present invention modifies a selected video segment recorded on a portion of a storage medium to form a modified video segment, and the modified video segment is recorded exclusively on the portion of the storage medium, as essentially recited in Claims 1 and 14. That is, the selected video segment is modified, and then stored on the same portion as **was** the non-modified video segment. For example, the claims recite "the portion" and not "another portion" of the storage medium. Moreover, see, e.g., page 12, lines 13-21 of the Applicants' specification which disclose "a user may alter the playback speed of progressive frame video that has already been recorded onto a storage medium. If the user desires to edit the recorded video to produce slow motion video, then one or more pictures may be inserted into the video to create such an effect. **The altered video can then be recorded onto the storage medium in the same space previously occupied by the original video.** If the user desires to create fast-forward video, then one or more pictures may be removed from the recorded video. **Similar to the slow motion editing process, the video can be recorded in the original video's medium space**". Advantageously, the present invention allows a user to permanently record the modified video segment so that subsequent playback of the modified video segment do not require invocation of trick mode play but rather normal play (see, e.g., Applicants' specification, p. 2, lines 18-25).

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Thus, while the present invention modifies a selected video segment stored on a portion of a storage medium and then stores the modified video segment at that portion, Eerenberg discloses the combining of a trick play information stream and a normal play information stream "so that they can be recorded as a composite information stream on the record carrier" (Eerenberg, Abstract).

Accordingly, Eerenberg, the only reference cited against independent Claims 1 and 14, does not teach or suggest all of the above-recited limitations of Claims 1 and 14. Moreover, it is respectfully asserted that Takeuchi does not cure the deficiencies of Eerenberg, and is silent with respect to the above-recited limitations of Claims 1 and 14.

A reference cited against a claim under 35 U.S.C. §102 must disclose each and every limitation of the rejected claim. Accordingly, independent Claims 1 and 14 are patentably distinct and non-obvious over the cited reference for at least the reasons set forth above.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art" (MPEP §2143.03, citing *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)). Moreover, "[i]f an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious" (MPEP §2143.03, citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)).

Claims 2-13 depend from Claim 1 or a claim which itself is dependent from Claim 1 and, thus, includes all the elements of Claim 1. Claims 15-26 depend from Claim 14 or a claim which itself is dependent from Claim 14 and, thus, include all the elements of Claim 14. Accordingly, Claims 2-13 and 15-26 are patentable distinct and non-obvious over the cited references for at least the reasons set forth above with respect to Claims 1 and 14, respectively.

In view of the foregoing, Applicants respectfully request that the rejection of the claims set forth in the Office Action of October 6, 2005 be withdrawn, that pending claims 1-26 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

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**Conclusion**

The Applicant submits that none of the claims, presently in the application, are anticipated under the provisions of 35 U.S.C. § 102 or obvious under the provisions of 35 U.S.C. § 103. Moreover, the Applicant respectfully submits that all of the claims now satisfy the requirements of 35 U.S.C. § 112. Consequently, the Applicant believes that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion, it is respectfully requested that the Examiner telephone the undersigned.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account No. 07-0832.

Respectfully submitted,

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